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REMARKS

Applicants respectfully request reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks. No additional fee is required for this Amendment as the number of independent claims is not more than three, and the total number of claims is less than twenty.

Telephone Interview Summary

Applicants thank Examiner Boswell for his time and courtesies extended during a telephone interview with the undersigned on 29 December 2005. Applicants argued that the rejection of Claims 3, 4 and 11 was mistaken in calling the solenoid of the cited prior art a permanent magnet (Office Action, page 3). A solenoid is not a permanent magnet. The Examiner agreed that a solenoid is not a permanent magnet. The Examiner indicated that he would fully reconsider the issue upon Applicants filing this Amendment to include the discussed limitations into independent claims.

Applicants request the Examiner contact the undersigned to discuss the issue further upon the Examiner's reconsideration.

Amendment to the Claims

Applicants amended Claim 1 to include limitations of Claims 2 and 3. Claims 2 and 3 have been canceled in view of amended Claim 1. Claim 4 has been amended into independent form including limitations of Claims 1 and 2. Claims 11 and 12 have been canceled in view of amended Claims 1 and 4. Claims 15 and 19 have been amended in view of canceled Claim 2. No new matter has been added to the claims by this Amendment.

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Claim Rejections - 35 U.S.C. §103

The rejection of Claims 1-5, 7-12, and 14-17 under 35 U.S.C. §103(a) as being unpatentable over Jacobs et al., U.S. Patent 6,516,640, in view of Bartels et al., U.S. Patent 6,539,756, is respectfully traversed.

Applicants amended Claim 1 to recite that "the blocking piece (24) is a part of an actuator (20) which in the opened position is maintained under a spring prestress against a permanent magnet, and the actuator (20) is lifted off the permanent magnet by the lever (41)." Amended independent Claim 4 recites "the blocking piece (24) is a part of an actuator (20) which, in the locking position, is maintained against a permanent magnet, and the actuator (20) is movable from the opened position to the locking position by a lever (41) against a force of a spring."

The Office Action states that Jacobs et al. discloses an actuator maintained in both an open and locking position by a "permanent magnet." This permanent magnet is identified as a "electromagnetic solenoid operable in a conventional manner to extend and retract an armature 22" (Col. 4, lines 25-28). However, a solenoid is not a permanent magnet. A solenoid, by definition, is a temporary magnet that establishes a magnetic field only in the presence of a current.

Jacobs et al. uses a solenoid to both extend and retract the armature 22. Applicants' claimed invention recites the blocking piece is held in either an open position (Claim 1) or a locked position (Claim 4) by a permanent magnet. Applicants' invention of amended Claims 1 and 4 is not provided or suggested in the combination of Jacobs et al. and Bartels et al. Jacobs et al. does not teach a permanent magnet. Bartels et al. also incorporates solenoids, and does not teach a permanent magnet. The combination of cited references does not provide or suggest the claimed

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invention, as neither reference, alone or in combination, teaches or suggests incorporating a permanent magnet, as in Applicants' claimed invention.

For at least the above reasons, Applicants respectfully request reconsideration and withdrawal of this rejection.

Conclusion

Applicants intend to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicants have not resolved in this response, Applicants' undersigned attorney again requests a telephone interview with the Examiner.

Applicants sincerely believe that this Patent Application is now in condition for allowance and, thus, respectfully request early allowance.

Respectfully submitted,



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